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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

UNITED STATES OF AMERICA,

6:23-cv-00182-MO

Plaintiff,

v.

**COMPLAINT, *in rem*,
FOR FORFEITURE**

**91302 POODLE CREEK ROAD, NOTI,
LANE COUNTY, STATE AND
DISTRICT OF OREGON, REAL
PROPERTY WITH BUILDINGS,
APPURTENANCES AND
IMPROVEMENTS, *in rem*,**

Defendant.

Plaintiff, United States of America, for its complaint *in rem* for forfeiture, alleges:

COUNT 1

I.

This Court has subject matter jurisdiction, *in rem* jurisdiction, and venue pursuant to 21 U.S.C. § 881; 28 U.S.C. §§ 1345, 1355, 1356, and 1395; and 19 U.S.C. § 1610.

II.

Defendant, *in rem*, 91302 Poodle Creek Road, Noti, Lane County, State and District of Oregon, Real Property with Buildings, Appurtenances and Improvements, (hereinafter known as “91302 Poodle Creek”) and more particularly described as:

Beginning at the iron pipe accepted as the West one-quarter corner of Section 32, Township 16 South, Range 6 West of the Willamette Meridian in that survey filed September, 1974, under File No. 18628; thence South $0^{\circ} 03' 40''$ West 500.66 feet along the West line of said Section according to said survey to an iron pin marking the true point of beginning; thence South $49^{\circ} 31' 14''$ East 302.27 feet to an iron pin set on the Westerly right-of-way line of Poodle Creek Road; thence South $39^{\circ} 11' 04''$ West 1.26 feet along said right-of-way to a point; thence continuing along said right-of-way line and the arc of a curve to the left having a radius of 1472.40 feet to a point which bears South $34^{\circ} 15' 33''$ West 252.82 feet from the last described point; thence South $60^{\circ} 39' 57''$ East 10.00 feet continuing along said right-of-way to a point; thence South $29^{\circ} 20' 03''$ West 196.24 feet continuing along said right-of-way line to a point on said West line of Section 32 (being referenced on the ground by an iron pin bearing North $9^{\circ} 17' 35''$ East 1.05 feet); thence North $0^{\circ} 03' 40''$ East 582.13 feet to the true point of beginning, in Lane County, Oregon,

is now and during the pendency of this action will be within the jurisdiction of this Court.

III.

Defendant, *in rem*, 91302 Poodle Creek, represents property used or intended to be used to facilitate an exchange of controlled substances in violation of 21 U.S.C. § 801, *et. seq.*, and is forfeitable to the United States pursuant to the provisions of 21 U.S.C. § 881(a)(7), as more particularly set forth in the declaration of Sean Cummings, Special Agent, Drug Enforcement Administration, marked as Exhibit A, attached and fully incorporated herein by this reference.

WHEREFORE, plaintiff, United States of America, prays that due process issue to enforce the forfeiture of defendants, *in rem*, 91302 Poodle Creek; that due notice be given to all interested persons to appear and show cause why forfeiture of this defendant, *in rem*, should not

be decreed; that due proceedings be had thereon; that this defendant be forfeited to the United States; that the plaintiff United States of America be awarded its costs and disbursements incurred in this action.

DATED: February 7, 2023.

NATALIE K. WIGHT
United States Attorney

s/ Amy E. Potter
AMY E. POTTER
Assistant United States Attorney

VERIFICATION

I, Sean Cummings, declare, under penalty of perjury, pursuant to the provisions of 28 U.S.C. Section 1746, that I am a Special Agent with the Drug Enforcement Administration and that the foregoing Complaint *in rem* for Forfeiture is made on the basis of information officially furnished and upon the basis of such information the Complaint *in rem* for Forfeiture is true as I verily believe.

s/ Sean Cummings _____
SEAN CUMMINGS
Special Agent
Drug Enforcement Administration